

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: June 21, 2018

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THE EXPORT-IMPORT BANK OF THE
REPUBLIC OF CHINA,

Plaintiff,

v.

CENTRAL AFRICAN REPUBLIC,

Defendant.
-----X

15 Civ. 9630 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

Defendant has never appeared in this action, and the Court entered a default judgment against Defendant on January 9, 2017. (Dkt. #31). On May 11, 2018, Plaintiff filed a motion to compel Defendant to answer interrogatories and respond to document requests that Plaintiff had previously served on Defendants or be held in contempt of court; for sanctions against Defendants; and for an award of Plaintiffs' fees, expenses, and costs, including reasonable attorneys' fees, incurred in bringing the motion. (Dkt. #36). Defendant did not respond to the motion, nor did Defendant appear at a hearing that the Court held on the motion on June 12, 2018. The Court notes that it has the authority to issue post-judgment orders "to aid collection of a money judgment" against a foreign sovereign defendant where, as here, the sovereign has waived its sovereign immunity under the Foreign Sovereign Immunities Act. *First City, Texas-Houston, N.A. v. Rafidain Bank*, 281 F.3d 48, 53-54 (2d Cir. 2002).

For the reasons stated on the record, the motion is GRANTED.

Accordingly, Plaintiff is hereby ORDERED to serve this Order on Defendant. In addition, it is hereby ORDERED that Defendant answer the interrogatories and respond to the document requests that Plaintiff has previously served on Defendants and attached as exhibits to Plaintiff's motion to compel. (See Dkt. #38-2, 38-3). Defendant's failure to do so within 30 days of the date of this Order may result in sanctions, including a finding of contempt. In addition, Plaintiff is directed to file with the Court, within 45 days of the date of this Order, an accounting for its attorneys' fees incurred in bringing the instant motion.

SO ORDERED.

Dated: June 21, 2018
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge